UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,774	12/31/1998	GREGORY S. LINDHORST	3797.77995	3334

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EXAMINER
BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 August 2002</u>.

2a) ☒ This action is **FINAL**.　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-11</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-11</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)　　　　4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)　　5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>10</u> .　　6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: amendment filed 8/19/2002, to the original

application filed **12/31/1998**, IDS filed 4/2/2002 (paper 7), and 8/27/2002 (paper 10).

2.   The Sleeter reference (paper 10) was not considered, due to the examiner's previous citing of said

reference in a previous action.

3.   The objection to the disclosure due to failure to indicate status of a related application has been

withdrawn as necessitated by amendment.

4.   The objection to claim 1 due to grammar informality has been withdrawn as necessitated by

amendment.

5.   The rejection of claims 1, 3 under 35 U.S.C. 101 as directed no non-statutory subject matter has

been withdrawn as necessitated by amendment.

6.   Claims 1-7 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser.

7.   Claims 1-11 are pending. Claims 8-11 have been added. Claims 1, 3, 8 are independent claims.

Claim Rejections - 35 USC § 103

8.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness**

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   **Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser, U.S.**

Patent No. 5,953,731 issued September 1999.

In regard to independent claim 1, Glaser teaches a software development environment comprising an Applet control list of all forms and projects. Glaser also teaches inserting controls from one form or HTML page onto another HTML page (Glaser Abstract, column 7 lines 40-45; compare with claim 1 "*a page object control on a first page for storing a list....associated with said first page*").

Glaser teaches a control from one form or HTML page inserted into another HTML page. A form window displaying applet "FORM1" is dragged into a "FORM2" drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object. The second page can instantiate an applet, including the methods and properties associated with said applet, which is copied from the first page onto the second page (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 1 "*wherein a second page is capable of instantiating....with said first page into said second page.*").

The limitation of "*a page object control* " would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret said forms from said applet list as associated with HTML pages, providing the advantage of form objects that are customized to different pages.

In regard to dependent claim 2, Glaser teaches dragging a control into a dropped position (settable by developer) in an HTML page (Glaser column 7 lines 14-20; compare with claim 2).

In regard to independent claim 3, the limitation of *"creating a first page capable of referencing a second page"*, and *"referencing said second page from said first page"* would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and since Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret that, initially, one page must reference another page containing the control to be copied, so that said control can be copied, providing Glaser the benefit of referencing pages for visually inspecting controls.

Glaser teaches editing a page with a form editor (Glaser Abstract; compare with claim 3 *"editing said first page"*).

Glaser teaches a control from one form or HTML page inserted into another HTML page. A form window displaying applet "FORM1" is dragged into a "FORM2" drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object. The second page can instantiate an applet, including the methods and properties associated with said applet, which is copied from the first page onto the second page (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 3 *"referencing at least one of a method or property....being associated with said second page"*).

Glaser teaches a data storage device for storing data (Glaser column 3 lines 66-67; compare with claim 3 *"storing said first page."*).

In regard to dependent claims 4, 5, Glaser teaches a development environment comprising an Applet control list of all forms and projects, and inserting controls from one form or HTML page into

another HTML page with all necessary code associated with said object (Glaser Abstract, column 7 lines 40-45; compare with claims 4, 5.

In regard to dependent claims 6, 7, Glaser teaches dragging a control into a modifiable dropped position in an HTML page (Glaser column 7 lines 14-20; compare with claims 6, 7).

In regard to independent claim 8, Glaser teaches a development environment comprising an Applet control list of all forms and projects. Glaser also teaches inserting controls from one form or HTML page onto another HTML page (Glaser Abstract, column 7 lines 40-45; compare with claim 8 "*a first page object control on a first page*", and "*a second page object control on a second page, said second page object control storing a list...*").

Glaser teaches inserting controls from one form or HTML page onto another HTML page (Glaser Abstract; compare with claim 8 "*at least one method on said second page*").

Glaser teaches a control from one form or HTML page inserted into another HTML page. A form window displaying applet "FORM1" is dragged into a "FORM2" drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object. The second page can instantiate an applet, including the methods and properties associated with said applet, which is copied from the first page onto the second page (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 8 "*...said list comprising at least one of a method and a property associated with said second page*", and "*wherein said first page retrieves said second page object control.... to support script in said first page.*").

The limitation of "*pages as objects*", and "*page object*" would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project

window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the

Web publishing art that applets are generally applied to forms and HTML pages, and Glaser teaches

selecting and inserting a control from one form object or HTML page into another HTML page (Glaser

Abstract, at middle), it would have been obvious to interpret said forms from said applet list as associated

with HTML pages, providing the advantage of form objects that are customized to different pages.

In regard to dependent claim 9, Glaser teaches dragging a control into a dropped position

(settable by developer) in an HTML page (Glaser column 7 lines 14-20).

In regard to dependent claims 10-11, Glaser teaches implementation of its invention using a

client/server embodiment (Glaser Figure 1, column 3 lines 43-46, 60-67 to column 4 lines 1-14).

10.   **Prior art made of record and not relied upon is considered pertinent to disclosure.**

Caron et al.   U.S. Patent No. 6,108,661   issued   08-2000

Response to Arguments

11.   Applicant's arguments filed 8/19/2002 have been fully and carefully considered but they are not

persuasive.

Applicant argues on pages 4-5 of the amendment that Glaser does not teach a page object control

for storing a list of a method/property.... into said second page (bottom of page 4). The examiner notes

that (as presently claimed), Glaser teaches inserting controls from one form or HTML page onto another

HTML page (Glaser Abstract). The controls can be in the form of applets from an applet list (Glaser

Figure 7C). Since it is known that applets (i.e. JavaScript) contain methods and properties, said methods and properties are copied along with said applet.

Applicant argues on page 5 of the amendment that Glaser does not teach a page object control. The examiner notes that Glaser teaches applets, said applets generally applied to forms and HTML pages. Glaser also teaches selecting and inserting a control from one form object or HTML page into another HTML page. An applet can be interpreted as an object which can be associated with (assigned to) a web page.

Applicant argues on pages 5-6 of the amendment that Glaser does not teach referencing a second page from a first page. The examiner notes that since Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract), it would have been obvious to initially reference the page with the desired control (applet) prior to copying said control. Since Glaser teaches applets, copying an applet will also copy its methods and properties (to preserve the functionality of said applet).

Conclusion

12.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to William Bashore whose telephone number is **(703) 308-5807**. The examiner can

normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Heather Herndon, can be reached on **(703) 308-5186**.

Any inquiry of a general nature or relating to the status of this application should be directed to

the Group receptionist whose telephone number is **(703) 305-3900**.

14.   **Any response to this action should be mailed to:**

> Commissioner of Patents and Trademarks
> Washington, D.C. 20231

or faxed to:

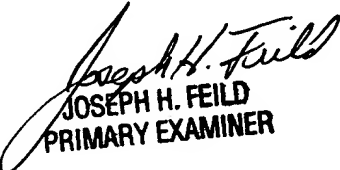> **(703) 746-7239** (for formal communications intended for entry)

or:

> **(703) 746-7240** (for informal or draft communications, please label
> "PROPOSED" or "DRAFT")

or:

> **(703) 746-7238** (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Fourth Floor (Receptionist).**

JOSEPH H. FEILD
PRIMARY EXAMINER

William L. Bashore
11/01/2002